

Approved 8/21/95

TOWN OF NEW BOSTON
SELECTMEN'S MEETING MINUTES

August 7, 1995

A regular meeting of the Board of Selectmen was called to order at 7:00 p.m. by Chairman Pimenta.

PRESENT: Michael S. Pimenta, Chairman
Darlene M. Goodin, Selectman
Gordon A. Carlstrom, Selectman
Todd I. Selig, Town Administrator

The Selectmen did not have an opportunity to review the regular minutes of the June 26, 1995, July 10, 1995, or July 24, 1995, Selectmen's Meeting. The Selectmen did not review the July 10, 1995 non-public meeting minutes.

Police Chief Jim McLaughlin came before the Board for his monthly meeting with the Selectmen. Chief McLaughlin updated the Board on his progress in setting up emergency generators at both the Police Station and the Central School which will serve as an emergency shelter for the Town. Tom and Matt Fleming have volunteered to pour the concrete pad which the Police Department generator will sit on once it is in place. Mr. McLaughlin needs to speak with Fire Inspector David Poole concerning electrical issues surrounding the generators. Mr. Poole will be available toward the end of the week to speak with Chief McLaughlin. More information concerning this issue will be forthcoming. The Town currently owns one used generator and may purchase a second.

Damon Roy and Kim Haley of 706 Bedford Road have offered to donate a chain link fence to the Department. Chief McLaughlin plans to use a portion of the fencing to protect the generator at the Police Department and the remainder of the fence as a kennel. Chief McLaughlin explained to the Selectmen that the donors understood that the fence would be used for this dual purpose.

Chief McLaughlin inquired whether the Board would be open to the idea of permitting on-call officers to take the Police Department cruiser home with them in the evenings. In this manner, the on-call officers would be able to respond faster to emergency calls in the Town. Chief McLaughlin explained that a certain degree of discretion would have to be used in determining which officers would be allowed to utilize the cruiser in this manner. Those officers living a long distance from the Town would not be permitted to take the cruisers home in the evening in order to reduce wear and tear on the cars. Chief McLaughlin stated that his employees had suggested the idea to him at a recent staff meeting. Chairman Pimenta was concerned that this policy might

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adversely affect the Town's insurance costs. Chairman Pimenta and Selectman Goodin indicated that they would like to think about the suggestion for a time before making a decision.

Chief McLaughlin suggested that the Department hold a fund raiser by selling spaces in a "Police Department Calendar" to local merchants. The Board informed Mr. McLaughlin that the Little People's Depot was already holding a similar fundraiser. The Selectmen did not want to compete with the Little People's Depot and decided against Mr. McLaughlin's idea.

The Board discussed the issue of wrecker insurance. The Board reaffirmed that no local wrecker company would be placed on the Town Wrecker List unless it presented a certificate of insurance for the required amount to either the Police Chief or Town Administrator. The Selectmen pondered the idea of changing the wrecker policy to give preference to New Boston residents as well as New Boston businesses. This issue will be discussed at a later date.

The fact that an officer did not respond to Maureen Mansfield's (4 Joe English Road) report of a theft was brought forward by the Selectmen. Chief McLaughlin explained that two domestic dispute complaints were called into dispatch at the same time as the theft call. The domestic disputes took precedence over the theft and the officer responded accordingly to them. However, the officer in question should have called in a back up officer to respond to the Mansfield theft, or at least contacted Mrs. Mansfield by telephone to confirm that everything was O.K. and that s/he was tied up on two other calls. Chief McLaughlin indicated that dispatch gave the officer the impression that Mrs. Mansfield's call could wait until morning. Chief McLaughlin has spoken with the officer about the incident and has appraised him of the correct manner in which to handle similar incidents in the future. Chairman Pimenta agreed that the officer should have called Mrs. Mansfield to let her know what was happening and that s/he was held up. Selectman Goodin felt the officer should have responded. Selectman Carlstrom explained that the officer in question was young and simply made a mistake. Chief McLaughlin explained that multiple calls such as in this situation pose problems for the Department with its limited resources. These limited resources prevent the Police Department from being all things to everybody at all times.

Selectman Goodin was concerned because Sergeant Tim Lamy has been training neighboring Police Departments in weapons use. Sergeant Lamy has reached the instructor level in this area. Selectman Goodin felt that weapons training was a liability to the Town. She explained that the N.H. State Police did not provide weapons

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training to local departments for this reason. Chief McLaughlin said that handcuffs training posed the most serious liability to host communities. He continued, explaining that in some areas New Boston provided training to neighboring communities so that those communities would be willing to assist New Boston with its training needs. Most recently, members of neighboring departments sat on New Boston's part-time officer review panel. Selectman Goodin wanted to know if Sergeant Lamy was paid for doing this training. Chief McLaughlin said that it depended upon the situation. Selectman Carlstrom said that Selectman Goodin's feelings on the subject were not necessarily those of the whole Board. Chairman Pimenta suggested that the Board discuss the matter at a later time so that the Selectmen could think about the subject. Selectman Goodin said she would get together paperwork outlining the liabilities involved with weapons training.

PUBLIC HEARING: Elliott Gravel Pit (Tax Map 004, Lot 016)

Chairman Pimenta opened the public hearing at 7:30 p.m.

Steven Elliott, David Elliott, Robert Todd, and Herbert Elliott (Route 136 abutter), came before the Board of Selectmen to discuss Steven and David Elliott's proposed gravel operation on Map 4, Lot 16 off of Middle Branch Road in New Boston. There were no objections to the proposed pit. The Board of Selectmen conditionally approved said pit contingent upon a successful outcome at the Planning Board's site plan compliance hearing scheduled for August 8, 1995, and the posting of a reclamation bond for \$14,000.00 with the Selectmen.

The Public Hearing closed at 7:40 p.m.

Mr. Robert Todd of the New Boston Forestry Committee came before the Selectmen to review five bids from perspective buyers of lumber from selective cutting at the Lydia Dodge lot: Nadeau Logging and Firewood, Trimbur Forestry, TSI Logging, Paradis, Timco. After examining the quotes and qualifications of each bidder with Bob Todd, Selectman Goodin made a motion to award the job to Timco due to their certification level and reputation. Selectman Carlstrom seconded the motion. The motion passed unanimously.

Cindy Coughlin, Lisa Roy, and Lorraine Miller of the Better Times newspaper came before the Selectmen to determine if the paper could utilize the Town's Federal Tax I.D. number. Chairman Pimenta explained that in the past the Better Times had indeed used the Town's Tax I.D. number. The Selectmen changed that practice a number of years ago, however, when the paper ran a

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controversial political advertisement. Town Administrator Selig said that although the Town had budgeted \$500.00 per year in the past to help support the Better Times, it had not done so this year. The Board suggested that Ms. Coughlin, Ms. Roy, and Ms. Miller draw up a mission statement and/or set of bylaws which would prohibit the paper from running political advertisements/articles. After looking over the bylaws, the Selectmen would then determine if they would support the Better Times as in the past. The representatives from the Better Times preferred to get a commitment from the Selectmen one way or the other before making the effort to change any bylaws. Chairman Pimenta brought up the possibility of the Better Times becoming a fully Town-sponsored entity whereby the Selectmen would have appointment authority over a board or commission which would oversee the newspaper. The Selectmen said they would discuss the matter further and have Town Administrator Selig get back to Cindy Coughlin.

Recreation Director Sandy Gallup came before the Selectmen. Selectman Goodin made a motion to go into non-public session pursuant to RSA 91-A:3IIa to discuss personnel issues related to the Recreation Director. Selectman Carlstrom seconded the motion. The vote was: Chairman Pimenta - yes, Selectman Goodin - yes, Selectman Carlstrom - yes. The motion passed unanimously.

Personnel issues regarding the New Boston Recreation Department and the Recreation Director were discussed.

Selectman Goodin made a motion to adjourn out of non-public session. Selectman Carlstrom seconded the motion. The motion passed unanimously.

Mountain Road No Thru Trucking Designation/Joint Selectmen-Road Committee Meeting

Present: Brian Towne, Bob Rogers (Lyndeborough), Lee Murray (Road Agent & Road Committee member), [redacted] (Road Committee member), Harold "Bo" Strong (Road Committee Chairman), Betsey Dodge (Conservation Commission), Dilley (Dilley), Dilley (abutters), Elizabeth Crooker (Goffst [redacted] reporter), Jim Dodge (Fire Chief), Claire Dodge, [redacted] Strong, Heidi and John Palmer. Chairman Pimenta explained to those in attendance that the meeting was not intended to be a public hearing. It would be used, instead, to solicit information from the various Town boards and/or commissions represented.

Road Committee Chairman Harold Strong read a letter from Mr. Brian Towne addressed to the Road Committee dated July 18, 1995. Mr. Strong polled the Road Committee members present whether or

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not they wanted to change their recommendation to the Selectmen to post Mountain Road "No Thru Trucking." Dick Moody did not want to change his vote. Lee Murray did want to change his vote. Neither George St. John nor Ted Olson from the Road Committee were present to contribute to the discussion. Chairman Strong abstained. The overall Road Committee recommendation to the Selectmen to post Mountain Road "No Thru Trucking" remained as was.

Conservation Commission Chairman Betsey Dodge read a letter from the Conservation Commission to the Selectmen dated July 20, 1995, in regard to Mountain Road. Ms. Dodge asked Mr. Brian Towne why he opposed the "No Through Trucking" designation. Mr. Towne responded that he utilizes the road from time to time for his gravel operation. He would like to see the road kept as is. He would also like to see the culvert repaired. Ms. Dodge felt that posting the road would protect the wetlands and river in the Piscataquog watershed. In addition, she felt that many local residents use this location as a recreation area.

Fire Chief Jim Dodge said that the Fire Department generally likes to see roads improved/upgraded, but in this instance, where the Department does not often utilize the road, the posting would make very little difference one way or the other.

Selectman Goodin stated that after speaking with Mr. Kris Stewart's bookkeeper, the Selectmen are of the understanding that Mr. Stewart would be willing to install, not purchase, a new culvert for this location.

Both Selectman Goodin and Selectman Carlstrom stated they favored either posting or closing the road.

Chairman Pimenta felt that if the Board voted to post Mountain Road, it would receive many more similar requests in the coming months on other roads in New Boston. Chairman Pimenta stated that he was disappointed that neither a Selectman representative nor the Road Agent from Lyndeborough had contacted the New Boston Board of Selectmen on their own to discuss posting Mountain Road "No Thru Trucking."

Selectman Goodin stated that the primary reasons she was in favor of posting Mountain Road was for safety and protecting the conservation areas. Safety would be an issue even if the road was improved due to the steep grade of Mountain Road.

Selectman Carlstrom made a motion to post Mountain Road "No Thru Trucking." Selectman Goodin seconded the motion. The vote was: Chairman Pimenta - no, Selectman Goodin - yes, Selectman

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Carlstrom - yes. The motion passed.

End of Mountain Road Portion of Meeting

Heidi Palmer, John Palmer, and Bo Strong came before the Board of Selectmen to discuss a 1988 Variance (#88-04) which was conditionally granted to the Palmers for their property on 2 Mont Vernon Road by the New Boston Zoning Board of Adjustment. The Planning Board is presently concerned that this variance might have expired and/or never become active and has referred the matter to the ZBA for consideration and advice. In order for the Palmers to proceed with the planned addition they desire to construct at their building at this location, the 1988 Variance must be valid. The Palmers contend that septage flow from neighboring properties dating back to circa 1988 has stifled their past attempts to secure commercial loans from banking institutions to build the addition. The Palmers feel that because of these septage problems, the ZBA should declare their 1988 Variance valid. The Selectmen advised the Palmers to take the matter up with both the Planning Board and Zoning Board as these are the two municipal entities responsible for dealing with both the site plan review process and the 1988 Variance issue.

The Selectmen said they would look into what has been done over the last few years to deal with the septage issue. The Selectmen explained that the Town does not have the resources to deal with septage issues and asked the Palmers what the State Department of Environmental Services, the public entity which would normally handle such issues, had done thus far to remedy the problem. Mrs. Palmer explained to the Selectmen that Eric Merrill, the State septage inspector who has looked into the problem, was absolutely useless and had done nothing to solve the problem.

Bo Strong explained that he had worked with Eric Merrill on the problem over the years and said that the Town and State had slowly been forcing the neighboring properties to replace their septic systems. There is a sloping rock ledge uphill from the Palmer's location which makes it next to impossible to determine which home is actually causing the septage problems. Mr. Strong said he has never seen a report confirming that the seepage on the Palmer's property actually contains hazardous fecal waste bacteria. Mrs. Palmer stated that she had such reports on file but refused to show them to Mr. Strong to confirm her claim.

Earlier in the evening (between 6:00 p.m. and 7:00 p.m. at 2 Mont Vernon Road), Mrs. Palmer told Chairman Pimenta and Town Administrator Selig that she possessed records/reports which showed exactly who was responsible for the septage problems. When asked by the Chairman and Town Administrator who was

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responsible, Mrs. Palmer refused to tell/show them. She explained that she would use these records in court against the Town when the time came.

The Selectmen again suggested that the Palmers gather together all of the information relevant to the septage issue and bring it with them to the next Planning Board and Zoning Board meetings.

The Zoning Board of Adjustment will discuss the matter on Tuesday, August 15, 1995.

Town Administrator Selig reported that he and Building Inspector Dennis Sarette had conducted a site inspection of the Barss property located at 388 Joe English Road on Tuesday, August 1, 1995, at 9:00 a.m. Both Mr. Selig and Mr. Sarette were satisfied that Mr. Barss had met all of the stipulations placed upon him approximately two months ago by the Town. These stipulations forced Mr. Barss to remove a large amount of machinery, metal, and car chassis' from his property which brought his tractor repair and farming business into question as classifying as an unauthorized junk yard. Mr. Selig felt everything left on site was intended for use in either Mr. Barss' tractor repair or farming business. Mr. Barss acted in good faith, according to Mr. Selig, in his effort to dispose of the prohibited junkyard-type materials from his property.

Mr. Selig reported that the fire extinguisher training session held on July 28, 1995, went extremely well.

Road Agent Lee Murray stopped in to discuss briefly a damaged wing wall on Gregg Mill Road bridge.

The Board of Selectmen determined that the Planning Coordinator would return to a 30 hour per week schedule, effective immediately.

Town Administrator Selig informed the Board of Selectmen that the budget line items for supplies in the Selectmen's Office, Tax Collector's Office, and Clerk's Office had been broken up last year into three parts for the 1995 budget worksheets to accommodate the change in staffing patterns at the Town Hall. As of the current date, the Selectmen's supply budget was totally used up, while the Tax Collector budget and Clerk budget still had monies left over. Mr. Selig explained that the Board could: a) continue to bill the account which was actually making a purchase, resulting in over expenditures to that line item at the end of the year; or b) bill according to which account still had monies left over, thereby spreading actual purchases over the entire range of accounts to avoid a large over expenditure in any

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one line item. Mr. Selig recommended the former as it would allow the Board, in the long run, to get an accurate idea of how much money each department located in the Town Hall actually needed for supplies. The Board of Selectmen agreed with Mr. Selig and asked him to proceed with his recommendation.

The Board of Selectmen scheduled the following gravel pit walks for Thursday, August 17, 1995: Boisvert pit - 6:00 p.m., Heafield pit - 6:30 p.m.

The Town has received a letter from Mr. William Lewis of Campbellsville, KY, expressing an interest in donating land (Map 14, Lot 7) to the Town. The Board asked Mr. Selig to have the Conservation Commission walk the land to determine if it would be beneficial for the Town to own for conservation purposes.

Town Clerk Margit Hooper informed Town Administrator Selig that an individual living in an unauthorized trailer at the Philip J. Duke residence on 201 Joe English Road had come in to register a car. The Selectmen asked Mr. Selig to have the Building Inspector investigate the situation.

The Board reviewed and signed payroll and accounts payable checks.


Chairman Pimenta signed pistol permits.

The Board signed intent to cut forms.

The Board signed other miscellaneous correspondence and materials.

The meeting was adjourned.

Respectfully submitted,



Todd I. Selig
Town Administrator